

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for May 28, 2003 PLANNING COMMISSION MEETING

P.A.S.: Co Special Permit #202

PROPOSAL: A special permit to locate a temporary mobile home for health reasons.

LOCATION: S. W. 84th and W. Pioneers Blvd

WAIVER REQUEST: NA

LAND AREA: 3.24 acres, more or less.

CONCLUSION: If documentation can be provided that this is for health related reasons, it meets the intent of the County Board for the use of this provision.

<u>RECOMMENDATION:</u>

Conditional Approval

GENERAL INFORMATION:

LEGAL DESCRIPTION: Lot 17, I.T., Located in the NE 1/4 of Section 10 T9N, R5E of the 6th P.M., Lancaster County, Nebraska.

EXISTING ZONING: AG Agriculture

EXISTING LAND USE: Acreage dwelling with outbuildings

SURROUNDING LAND USE AND ZONING:

North: Farm land zoned AG Agriculture

South: Farm land zoned AG Agriculture

East: Farm land zoned AG Agriculture

West: Farm land zoned AG Agriculture

ASSOCIATED APPLICATIONS: None

HISTORY: Changed from AA Rural and Public Use to AG Agricultural in the 1979 zoning update.

COMPREHENSIVE PLAN SPECIFICATIONS: The 2025 Plan shows this as Agriculture.

This is outside the Lincoln Growth Tiers. Language in the plan states;

A variety of housing choices should apply to acreage residential development as well as urban areas. (Page F 69)

Plan for sufficient and varied choices for the location of elderly housing. (page F 72)

Evaluate the provisions for accessory dwelling units in residential areas. (Page F 72)

UTILITIES: None, private well and lagoon only

TOPOGRAPHY: Generally flat.

TRAFFIC ANALYSIS: S.W. 84th is a paved County road and a state "spur".

PUBLIC SERVICE: This is in the Pleasant Dale Rural Fire District, Haines Branch School District # 69A and Norris Public Power District.

REGIONAL ISSUES: Trailers and mobile homes

ENVIRONMENTAL CONCERNS: There are no identified Historic resources. There are drainage ways by the site. There is no FEMA floodplain shown.

AESTHETIC CONSIDERATIONS: n/a

ALTERNATIVE USES: N.A.

ANALYSIS:

1. This request is for a mobile home, under the provisions of Article 13.001(28), "Temporary residences (trailers) renewed annually".
2. The temporary mobile home is proposed to be a residence for a member of the family. The intention would be to provide a second residence on the site so that family members can provide medical assistance and supervision while allowing for independent living.
3. The temporary mobile home would use existing lagoon and well on the site.
4. The mobile home is generally lined up to the south of, but slightly in front of, the existing house. Vehicles would use the same driveway.

5. The mobile home would be allowed only while the family member resides in the mobile home and only while under the health care assistance of the members of the family. The mobile home is annually renewable to re-certify that the above conditions are true.
6. The use of this provision or the code is intended by the County Board for medical related reasons. The family medical reasons for this request have not been documented at the date of this writing. A letter from a physician or other medical provider is needed.

CONDITIONS:

Site Specific:

1. After the applicant completes the following instructions and submits the documents and plans to the Planning Department office and the plans are found to be acceptable, the application will be scheduled on the County Board's agenda:
 - 1.1 Provide medical documentation on the health need of the resident that warrants the temporary mobile home.
2. This approval permits one mobile home as a second residence on the lot
3. This permit will apply for one year from the date of approval, after which the permit may be renewed on a yearly basis by the Building and Safety Department, if the mobile home is still used by a member of the family and that individual is receiving medical care or supervision. The application for renewal shall be the responsibility of the owner.

General:

4. Before receiving building permits:
 - 4.1 The construction plans shall comply with the approved plans.

STANDARD CONDITIONS:

5. The following conditions are applicable to all requests:
 - 5.1 Before occupying the mobile home all development and construction shall have been completed in compliance with the approved plans.
 - 5.2 Before occupying this mobile home, City/County Health Department is to approve the water and waste water systems.

- 5.3 The site plan accompanying this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.
- 5.4 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.
- 5.5 The County Clerk shall file a copy of the resolution approving the permit and the letter of acceptance with the Register of Deeds. The Permittee shall pay the recording fee in advance.

Prepared by:

Michael V. DeKalb
Planner

DATE: May 13, 2003

APPLICANT: Candice L. Edwards
4505 SW 84th Street
Denton, NE 68339

OWNER: Candice L. Edwards

CONTACT: Bob Sanks
7323 SW 119th Street
Denton, NE 68339



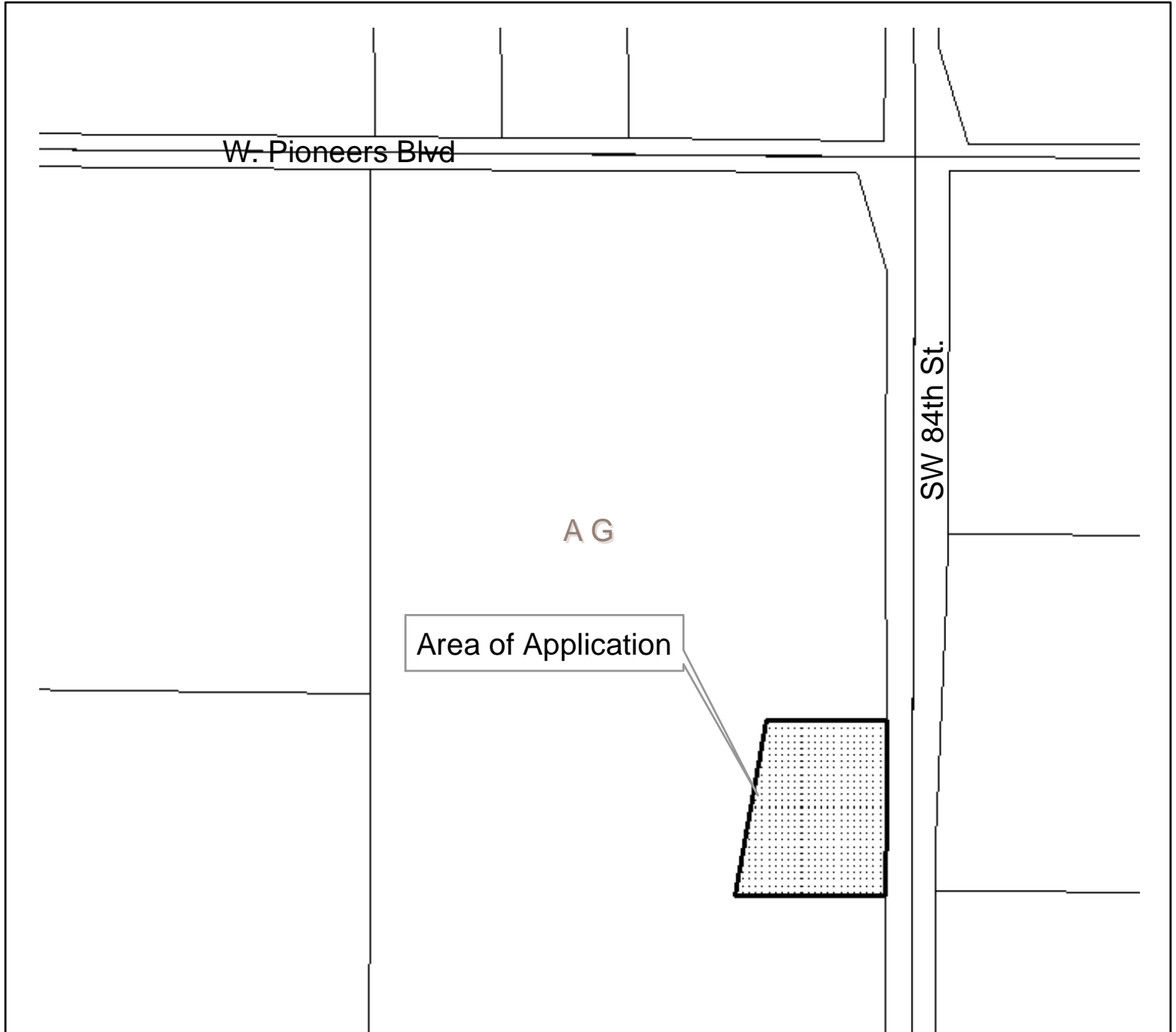
W. Pioneers Blvd

SW 84th St.

Area of Application

County Special Permit #202 SW 84th & W. Pioneers Blvd



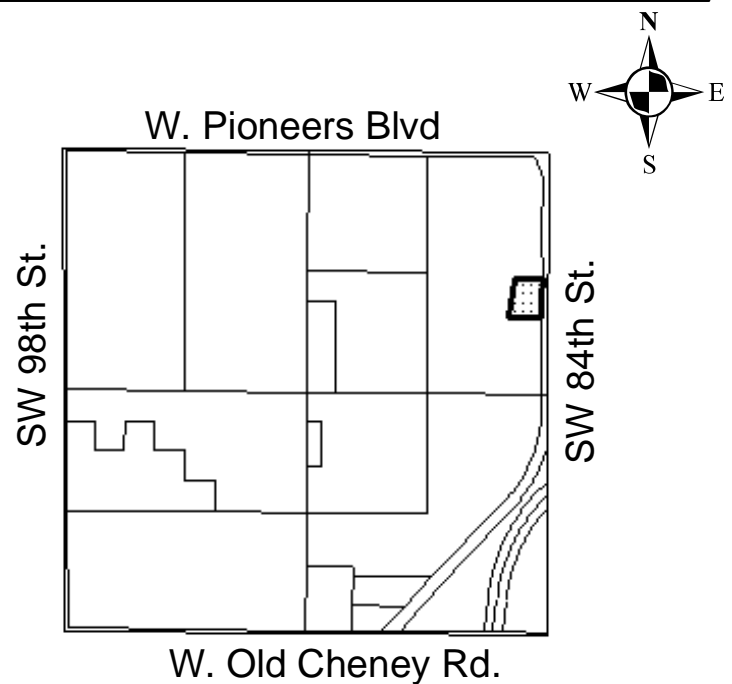
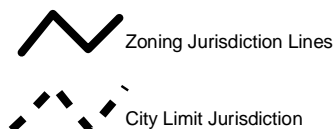


County Special Permit #202 SW 84th & W. Pioneers Blvd

Zoning:

R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
R-C	Residential Conservation District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

One Square Mile
Sec. 10 T9N R5E



4505 SW 84th ST.

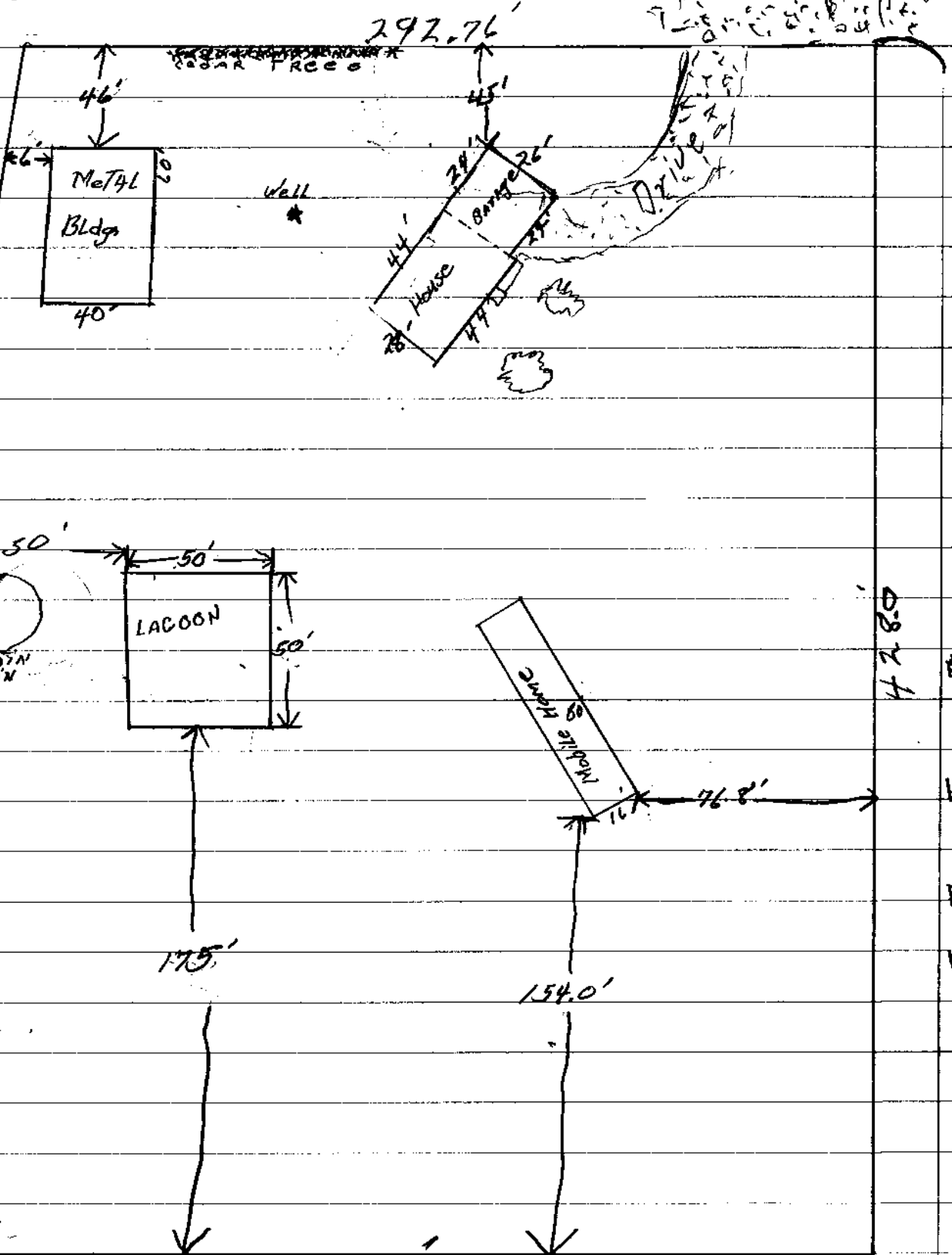
Legal Description

10-9-5 (4701)

LOT 17

3.24 AC

Will use
existing
Wall & Lagoon



* Well
my Maple
w/ Trees

**LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT
INTER-OFFICE COMMUNICATION**

TO: Mike DeKalb

DATE: May 12, 2003

DEPARTMENT: Planning

FROM: Chris Schroeder
Doug Smith, REHS

ATTENTION:

DEPARTMENT: Health

CARBONS TO: Bruce Dart, Director
EH File
EH Administration

SUBJECT: SP #202 County
SW 84th and Pioneers

The Lincoln-Lancaster County Health Department (LLCHD) has reviewed the application for special permit and conducted an onsite inspection. The following items are noted:

- The existing home is served by a private well. The well construction appears to be satisfactory. The bacteria water sample results indicate the presence of coliform bacteria. The owner may request additional sampling for additional confirmation of the presence of bacteria or the owner may have a licensed well driller shock treat the well with chlorine. LLCHD will then resample. The results of the nitrate testing were satisfactory.
- The onsite wastewater treatment system serving the property is a lagoon. The lagoon was constructed in 1979. Current regulations require larger capacity lagoons than the regulations in 1979. Based on the liquid level observed in the lagoon and the projected additional usage of an elderly couple it appears the existing lagoon should be large enough to adequately serve the existing household and the addition of the mobile home. If wastewater discharge into the lagoon increases significantly the owner should be aware that it may be necessary to enlarge the lagoon.
- The fence surrounding the lagoon will have to be updated to current standards. The existing fence does not completely enclose the lagoon and it does not meet the 48 inch height requirement. A minimum of 48 inch high fence must be installed that fully encloses the lagoon. The fence must have a standard gate with a lock. The fence must also have a minimum of one "No Trespassing" or similar sign.
- Several large trees exist on the lagoon dike. These trees must be removed. The stumps should either be removed or treated to prevent regrowth.

- The plan shown by the applicant indicates the mobile home will be placed with 100 feet of the lagoon. The design standards for onsite wastewater treatment systems require that lagoons be located a minimum of 100 feet from a Class 2 foundation. Mobile homes meet the definition of a Class 2 foundation.
- All wind and water erosion must be controlled during construction. The Lower Platte South Natural Resources District should be contacted for guidance in this matter.
- During the construction process, the land owner(s) will be responsible for controlling off-site dust emissions in accordance with Lincoln-Lancaster County Air Pollution Regulations and Standards Article 2 Section 32. Dust control measures shall include, but not limited to application of water to roads, driveways, parking lots on site, site frontage and any adjacent business or residential frontage. Planting and maintenance of ground cover will also be incorporated as necessary.